

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

**I. (a) PLAINTIFF**

**Sheila Foster, Individually and on behalf of the Estate of Garrett Foster, and Stephen Foster**

(b) County of Residence of First Listed Plaintiff: Travis County

(c) Attorney:

Quentin Brogdon, Robert D. Crain, Crain Brogdon Rogers, LLP, 3400 Carlisle Street, Suite 200, Dallas, TX 75204, 214.522.9404, - and – Andrew Wil Wilkerson, Michael Campbell, Jr., Wilkerson Campbell, PLLC, 2201 Main Street, Suite 206, Dallas, Texas 75201, 844.849.9789

**DEFENDANT(S)**

**Uber Technologies, Inc.**

County of Residence of First Listed Defendant: San Francisco County

Attorneys: Zach Mayer, David Larsen, Steven Barnett  
Mayer LLP  
750 North Saint Paul Street, Suite 700  
Dallas, Texas 75201  
214.379.6900 / Fax 214.379.6939  
E-Mail: [zmayer@mayerllp.com](mailto:zmayer@mayerllp.com)  
E-Mail: [dlarsen@mayerllp.com](mailto:dlarsen@mayerllp.com)  
E-Mail: [sbarnett@mayerllp.com](mailto:sbarnett@mayerllp.com)

Defendant(s): Daniel Scott Perry - Attorneys: Dorsett Johnson, LP, 3503 Wild Cherry Dr. Bldg 6, Austin, TX 78738, 512.600.4365  
[bdorsett@dorsettjohnson.com](mailto:bdorsett@dorsettjohnson.com)

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- |  |   |
|--|---|
| <input type="checkbox"/> 1 U.S. Government Plaintiff | <input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)                     |
| <input type="checkbox"/> 2 U.S. Government Defendant | <input checked="" type="checkbox"/> 4 Diversity (indicate Citizenship of Parties in Item III) |

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)  
(For Diversity Cases Only)

- | PTF                                   | DEF                                   | PTF   | DEF  |
|---------------------------------------|---------------------------------------|---|--|
| <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1            | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 <input checked="" type="checkbox"/> 4 |
| <input type="checkbox"/> 2            | <input checked="" type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 <input checked="" type="checkbox"/> 5 |
| <input type="checkbox"/> 3            | <input type="checkbox"/> 3            | Foreign Nation  | <input type="checkbox"/> 6 <input type="checkbox"/> 6            |

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

| CONTRACT  | TORTS   | FORFEITURE/PENALTY   | BANKRUPTCY   | OTHER STATUTES   |
|---|---|--|--|--|
| <input type="checkbox"/> 110 Insurance<br><input type="checkbox"/> 120 Marine<br><input type="checkbox"/> 130 Miller Act<br><input type="checkbox"/> 140 Negotiable Instrument<br><input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment<br><input type="checkbox"/> 151 Medicare Act<br><input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans)<br><input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits<br><input type="checkbox"/> 160 Stockholders' Suits<br><input type="checkbox"/> 190 Other Contract<br><input type="checkbox"/> 195 Contract Product Liability<br><input type="checkbox"/> 196 Franchise | <b>PERSONAL INJURY</b><br><input type="checkbox"/> 310 Airplane<br><input type="checkbox"/> 315 Airplane Product Liability<br><input type="checkbox"/> 320 Assault, Libel & Slander<br><input type="checkbox"/> 330 Federal Employers' Liability<br><input type="checkbox"/> 340 Marine<br><input type="checkbox"/> 345 Marine Product Liability<br><input type="checkbox"/> 350 Motor Vehicle<br><input type="checkbox"/> 355 Motor Vehicle Product Liability<br><input checked="" type="checkbox"/> 360 Other Personal Injury<br><input type="checkbox"/> 362 Personal Injury – Medical Malpractice | <b>PERSONAL INJURY</b><br><input type="checkbox"/> 365 Personal Injury – Product Liability<br><input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability<br><input type="checkbox"/> 368 Asbestos Personal Injury Product Liability<br><b>PERSONAL PROPERTY</b><br><input type="checkbox"/> 370 Other Fraud<br><input type="checkbox"/> 371 Truth in Lending<br><input type="checkbox"/> 380 Other Personal Property Damage<br><input type="checkbox"/> 385 Property Damage Product Liability | <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC<br><input type="checkbox"/> 690 Other   | <input type="checkbox"/> 422 Appeal 28 USC 158<br><input type="checkbox"/> 423 Withdrawal 28 USC 157   |
| <b>REAL PROPERTY</b>  | <b>CIVIL RIGHTS</b>   | <b>LABOR</b>   | <b>PROPERTY RIGHTS</b>   | <input type="checkbox"/> 375 False Claims Act<br><input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))<br><input type="checkbox"/> 400 State Reapportionment<br><input type="checkbox"/> 410 Antitrust<br><input type="checkbox"/> 430 Banks and Banking<br><input type="checkbox"/> 450 Commerce<br><input type="checkbox"/> 460 Deportation<br><input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations<br><input type="checkbox"/> 480 Consumer Credit<br><input type="checkbox"/> 490 Cable/Sat TV<br><input type="checkbox"/> 850 Securities/Commodities/ Exchange<br><input type="checkbox"/> 890 Other Statutory Actions<br><input type="checkbox"/> 891 Agricultural Acts<br><input type="checkbox"/> 893 Environmental Matters<br><input type="checkbox"/> 894 Energy Allocation Act<br><input type="checkbox"/> 895 Freedom of Information Act<br><input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision<br><input type="checkbox"/> 950 Constitutionality of State Statutes |
|   | <b>PRISONER PETITIONS</b><br><input type="checkbox"/> 440 Other Civil Rights<br><input type="checkbox"/> 441 Voting<br><input type="checkbox"/> 442 Employment<br><input type="checkbox"/> 443 Housing/ Accommodations<br><input type="checkbox"/> 445 Amer.w/Disabilities - Employment<br><input type="checkbox"/> 446 Amer.w/Disabilities - Other<br><input type="checkbox"/> 440 Education   | <b>Habeas Corpus:</b><br><input type="checkbox"/> 463 Alien Detainee<br><input type="checkbox"/> 510 Motions to Vacate Sentence<br><input type="checkbox"/> 530 General<br><input type="checkbox"/> 535 Death Penalty<br><b>Other:</b><br><input type="checkbox"/> 540 Mandamus & Other<br><input type="checkbox"/> 550 Civil Rights<br><input type="checkbox"/> 555 Prison Condition<br><input type="checkbox"/> 560 Civil Detainee – Conditions of Confinement   | <input type="checkbox"/> 710 Fair Labor Standards Act<br><input type="checkbox"/> 720 Labor/Management Relations<br><input type="checkbox"/> 740 Railway Labor Act<br><input type="checkbox"/> 751 Family and Medical Leave Act<br><input type="checkbox"/> 790 Other Labor Litigation<br><input type="checkbox"/> 791 Employment Retirement Income Security Act | <input type="checkbox"/> 820 Copyrights<br><input type="checkbox"/> 830 Patent<br><input type="checkbox"/> 835 Patent – Abbreviated New Drug Application<br><input type="checkbox"/> 840 Trademark   |
|   |   | <b>IMMIGRATION</b>   | <b>SOCIAL SECURITY</b>   | <b>FEDERAL TAX SUITS</b><br><input type="checkbox"/> 861 HIAA (1395f)<br><input type="checkbox"/> 862 Black Lung (923)<br><input type="checkbox"/> 863 DIWC/DIWV (405(g))<br><input type="checkbox"/> 864 SSID Title XVI<br><input type="checkbox"/> 865 RSI (405(g))  |
|   |   | <input type="checkbox"/> 462 Naturalization Application<br><input type="checkbox"/> 465 Other Immigration Actions  | <input type="checkbox"/> 790 Other Labor Litigation<br><input type="checkbox"/> 791 Employment Retirement Income Security Act  | <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)<br><input type="checkbox"/> 871 IRS—Third Party 26 USC 7609   |

**V. ORIGIN** (PLACE AN "X" IN ONE BOX ONLY)

- |  |  |  |   |   |   |  |
|--|--|--|---|---|---|--|
| <input type="checkbox"/> 1 Original Proceeding | <input checked="" type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 another district (specify) _____ | Transferred from _____                              | Appeal to District Judge from _____            |
|  |  |  |   |   | <input type="checkbox"/> 6 Multidistrict Litigation | <input type="checkbox"/> 7 Magistrate Judgment |

(Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

**28 U.S.C. § 1332(a) and 1446**

Brief description of cause:

**Death/Personal injury arising from shooting incident.**

**VII. REQUESTED IN COMPLAINT**

- |  |               |   |
|--|---------------|---|
| <input type="checkbox"/> CHECK IF THIS IS A CLASS ACTION | <b>DEMAND</b> | CHECK YES only if demanded in complaint:  |
| UNDER F.R.C.P. 23  | Over \$75,000 | <b>JURY DEMAND:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |

**VIII. RELATED CASE(S) IF ANY**

- (See Instructions):  
JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

DATE

June 20, 2022

/s/ Zach Mayer  
SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_